Doggone smart

University police pooch garners awards

☐ CAMPUS—PAGE 5

New man at helm

QB Perez to lead Spartan season opener

☐ SPORTS—PAGE 6

Project's on track

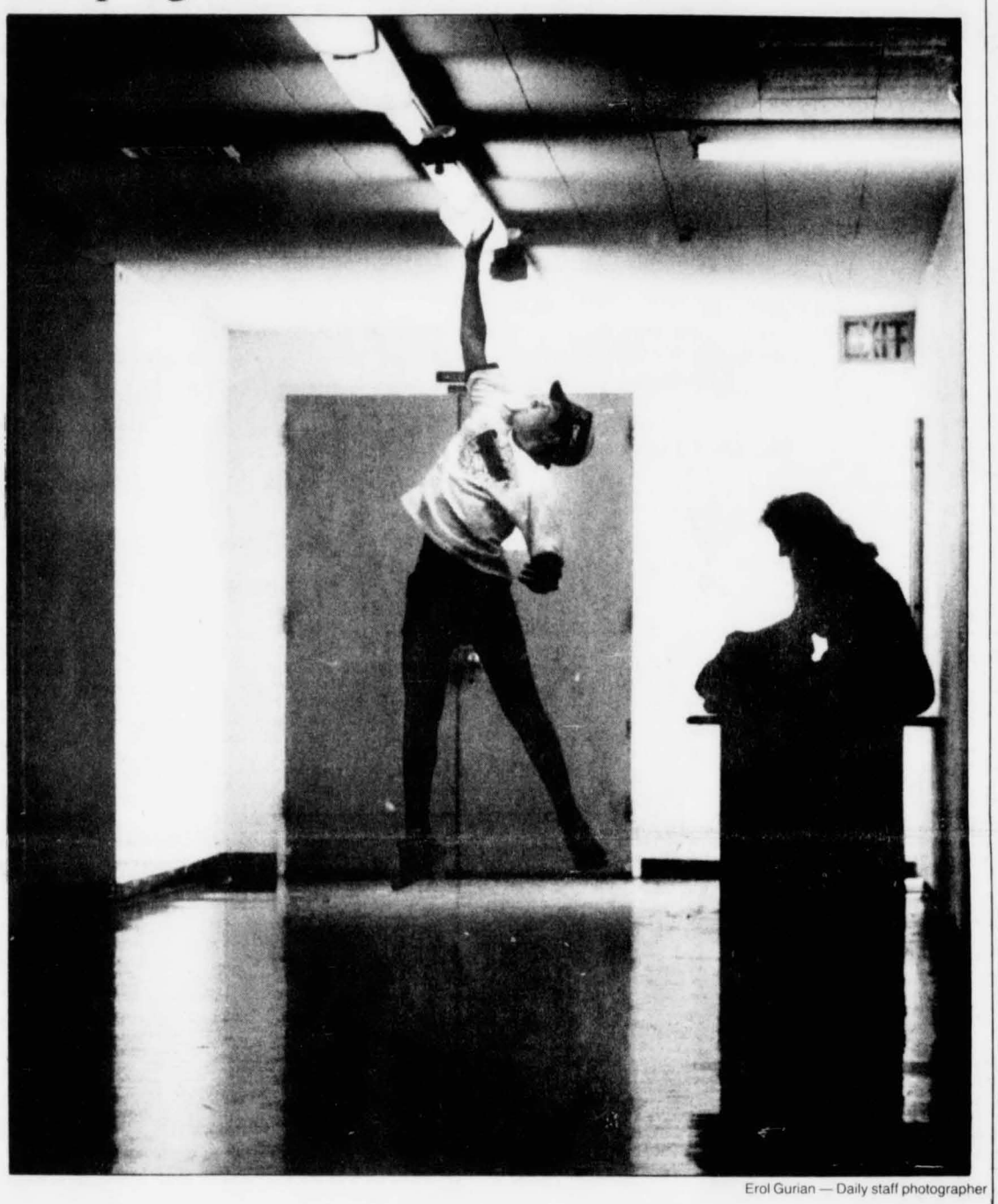
Engineering renovation moves along

☐ CAMPUS—PAGE 8

SPARTAN DAILY

Volume 87, No. 4 | *Serving the San Jose State University Community Since 1934* | Wednesday, September 3, 1986

Jumping Jack Flash



Erol Gurian — Daily staff photographer

Sam Nordeman, who attends Hoover Junior High in San Jose, practices his hook shot while leaping for the fluorescent light fixtures in the art building. Nordeman was waiting for his mother, an art student at the university.

Gann 'fair pay' intiative featured in open forum

By Frank Michael Russell
Daily staff writer

SJSU President Gail Fullerton, San Jose Mayor Tom McEnery and Proposition 61 author Paul Gann are scheduled to testify at a public hearing of the California Legislature on the Gann initiative today on campus.

Assemblyman John Vasconcellos (D-San Jose) and State Sen. Alfred E. Alquist (D-San Jose) are also scheduled to be present at the meeting, said Dick Staley, SJSU director of news and public services.

The initiative would propose changes to the state constitution that would limit the salaries of state and local employees to 80 percent of the governor's salary as of January 1987. Next year, the governor will receive $80,000 per year, limiting other state salaries to $64,000. Future pay raises would require a vote of the people.

The focus of the meeting will be on the initiative's impact on public health and high technology, said Dan Buerger, executive assistant to the president.

Buerger said Fullerton will testify on the initiative's effects on SJSU and high-technology education in general.

Passage of the initiative "would have a devastating effect" on the university, Buerger said. It would affect efforts to recruit and retain faculty and administrators, particularly full professors, department chairmen in large departments and faculty in designated market areas including business and engineering.

"This would be an immediate brain drain," Buerger said, "when we're being challenged locally in Silicon Valley and on the state level."

The university provides engineering and business graduates to high-technology companies throughout the county. Among major employers, 1,427 SJSU engineers are employed by Lockheed Missiles and Space Co. and 1,008 by IBM, he said.

Under the cap proposed by the initiative, he said, faculty and administrators would have less incentive to accept or remain in employment here, affecting the level of education in these areas and throughout the university.

"If you have a permanent salary freeze,

See *GANN, page 10*

Dry rush still called a success despite alcohol restrictions

By Anthony C. Perez
Daily staff writer

Despite allegations that some fraternities might not be obeying the dry rush guidelines, rush chairmen from seven SJSU fraternities said they thought the effort a success.

Kevin Jameson, Delta Upsilon president, said the dry rush should be adopted as standard rush procedure because it is a step towards getting the fraternities "out of the tavern business" and into more socially beneficial activities.

There has been an indication, however, that some fraternities have not stayed within the guidelines set by the Interfraternity Council, said Pete Krug, Sigma Nu rush chairman. He declined to identify the houses in violation of the alcohol ban.

Jameson also declined to name houses in violation of the dry rush, but suggested that charges against those houses would be brought up at the IFC meeting Monday.

If a house is proven in violation during the formal rush period, which runs through Sept. 5, the fraternity faces a fine of $500 from the IFC, said Jan Muzos, coordinator of Greek affairs.

Muzos said she was not aware of the allegations of rush violations, but added that in addition to the fine, an IFC judiciary committee would evaluate a violation to see what additional sanctions might be warranted.

Jim Welch, rush chairman for Sigma Alpha Epsilon, said some fraternities are having problems staying within the guidelines of dry rush because they see alcohol as vital to their rush activities.

> 'We've gotten out of the tavern business . . . .'
>
> **— Kevin Jameson, Delta Upsilom president**

"What's going to happen to them is they're going to have to learn how to truly rush an individual into their house," he said.

Welch said those fraternity members in violation of dry rush might not be caught, but he said he felt they were only hurting themselves.

Krug said he knew of several houses that had broken the IFC rule prohibiting alcohol at formal rush functions. This was because they rely heavily on alcohol to influence pledges, he said.

"A lot of people think alcohol . . . relaxes somebody," he said, "and if you have a drink, it's easier to rush somebody.

"I think a lot of guys just have a hard time rushing and alcohol makes it easier for them," he said.

Despite these problems, they said they agree that dry rush has had a very positive effect and that it is something that should be continued at SJSU because it increases the chances of pledging "quality men."

Jameson said the men who attend dry rush

See *RUSH, page 10*

No charges in ammo possession case

By Oscar Guerra
Daily staff writer

The Santa Clara County District Attorney's office will not press charges against Jeffrey Todd Macey, who was under investigation for weapons possession on campus by the county.

The California National Guard, where Macey is a 2nd Lt., is continuing its own investigation of the incident. SJSU disciplinary action has been turned over to the dean of students' office, University Police Chief Lew Schatz said.

Macey was under investigation for storing military practice ammunition in a bicycle locker next to the Seventh Street Parking Garage.

The arms were found on Aug. 27 by the University Police Department during a routine search of the bicycle lockers prior to the start of the semester.

Meanwhile, a friend, who asked not to be identified, characterized Macey as a "good guy" who wouldn't use the military practice ammunition to hurt anyone.

"The DA has declined to issue charges in this case," Schatz said.

He said his department took into consideration the fact that Macey voluntarily surrendered and admitted it was a dumb thing to do.

"Everyone takes something from where they work for souvenirs or what have you. I think he just did it for kicks, not to use them destructively," the friend said.

Article 1.1, Title 5 of the California Administrative Code section 41301 calls for the expelling, suspending, or placing on probation or a lesser sanction "for the possession of explosives on campus property . . . without prior authorization of the college president."

A Major with the National Guard said this case is unusual considering the quantity of ammunition found.

"We know there is pilfering going on, but this is the first time we have encountered such a large amount found at one time," said Maj. Steve Mensik, a public affairs officer with the National Guard Headquarters in Sacramento.

A.S. Program Board looking for bigger bucks

By Dan Kier
Daily staff writer

For the first time since the Associated Students Program Board was established in 1975 a profit is expected from concert events planned for the year.

The concert chairman, Paul Goeltz, said he will use the men's gymnasium to house A.S.-sponsored concerts for the first time in seven years in order to make a profit.

The Executive Facilities Committee decided Tuesday morning to make the gymnasium available for student groups who will follow the cleanup and care procedure prescribed by the committee, said Dr. James Bryant, chairman of the Human Performance Department.

A minimal usage fee was also established to cover wear on the gymnasium.

Since the A.S. Program Board plans to use the gymnasium for concerts this year, a savings of up to $2,000 to $3,000 will be made per show, Goeltz said.

> 'The program board needs to have a large hall . . . .'
>
> **— Paul Goeltz, concert chairman**

In the past the program board was forced to rent the San Jose Civic Auditorium for shows attracting a large audience, such as the tenatively planned Berlin concert later in the year, he said.

Clair Jennnett, professor and chairman of the Human Performance Department, had been resisting the idea of using the gymnasium for concerts, claiming the individual groups using it had not cleaned it and had not cared properly for the gym floor, Goeltz said.

Jennett has held the chair position for 10 years, and is presently on a one year sabbatical and could not be contacted.

Taking Jennett's place for the year is Bryant, who said he did not know anything about the program board not being able to use the gymnasium.

"We haven't been able to use the gym for seven years because they think it is only for sports events, but it is not," Goeltz said. "It was built for students and student events."

Goeltz sent letters requesting the use of the gymnasium to Jennett, A.S. President Tom Boothe, A.S. Business Administrator Jean Lenart and A.S. Adviser Ted Gehrke.

In the letter he explained the A.S. program board plans to rent mats for the floor, using a 20-person cleanup team that will also assist with security.

See *CONCERTS, page 10*

Students protest tree removal

By Andy Bird
Daily staff writer

The doomed trees of Paseo De San Antonio were the subject of an artistic protest by SJSU students and faculty yesterday.

An orchard of ornamentation was created as three sections of SJSU professor Tony May's Art 14 class staged a demonstration in the group of trees that have been a subject of controversy since being slated for removal last month.

The collection of 120 trees occupies part of Paseo De San Antonio, the pedestrian mall that runs between Third and Market streets. The Downtown Redevelopment Agency wants to remove all the trees to allow new construction planned for the mall.

The approximately 70 student demonstrators, employing their skills as artists, turned the mall into a colorful collage that couldn't help but attract attention of passers-by.

The idea is for each person to pick a tree and create a decoration that will attract attention to the plight, along with a story explaining why their tree should be saved, May said.

"I don't have too much hope that it will be effectual," May said while constructing an art deco fence around his tree. "But we want to lend support to the protest and keep the trees in the news."

"We need a little more nature in downtown San Jose other than just buildings," said Dana Mesa, a senior majoring in Interior Design, whose tree faced Second Street.

Mesa, one of May's students, worked with two other art students to adorn the tree with paper teddy bears.

See *TREES, page 10*

April Swift — Daily staff photographer

Art students decorated a tree in protest yesterday

SPARTAN DAILY

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Since 1934

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Editorial

Kudos for wrestling reinstatement

SJSU President Gail Fullerton should be commended on her decision to reinstate the Spartan wrestling program.

It's good to know that, with an administration that makes important decisions almost every day, if a mistake is made, it can be rescinded without fear or embarrassment.

Not only did the reinstatement show she cares for the well-being of the student body (and the wrestlers themselves), but she listens when the student body gets together and stands behind an issue.

The wrestling program on campus has a long history of success and national prominence, winning the PCAA championship six times in 13 years.

Nobody wanted the wrestling team dropped. Wrestlers and the student body actively protested the decision at rallies and meetings.

Then, when it came down to a monetary issue, the team came through and raised the necessary cash to keep the program going. It's not an easy task to raise $31,000 but with no other choice, the wrestling program and its supporters concentrated their energy on raising the funds.

They also received financial support from other organizations on campus who felt that the program should not have been dropped.

It was not the athletic deficit that concerned the wrestlers — it was their love of the sport and their need to continue wrestling in order to stay at SJSU. Fullerton may not have realized the impact her decision would have on the lives of some students. Some wrestlers would have had to return home to places as far away as Nebraska to start over at a new school.

She may also not have realized the impact of her decision on the South Bay. Many area high school wrestlers have no place to wrestle other than SJSU and a few local community colleges.

Some of these athletes would never get a college degree if it were not for wrestling. By ousting SJSU's wrestling program, many South Bay high school athletes would have had no choice but to go to a local junior college, and who knows where after that.

In her speech last Monday in Morris Dailey Auditorium, Fullerton stressed the importance of providing services for the community and what better way than to have an athletic team that appeals to the local community like SJSU's wrestling team does.

In any case, the idea of dropping a sport just because the athletic department is having problems is wrong.

Indeed the entire athletic department is having money trouble, and the wrestling team is part of the department, but so is cross country, soccer and baseball, and Fullerton didn't drop those. At least Fullerton realized that dropping wrestling was not the answer. Hopefully now she can work with the athletic department to improve the image of Spartan athletics.

Quality of life issues overlooked

Frank Michael Russell

Q.O.L.

Those three little letters — short for quality of life — are perhaps the local politics and planning buzzwords of this decade.

Quality of life is the sum total of what makes a place worth living in. Transportation, the local economy, the weather, the arts, education — all of these are part of quality of life. These local concerns are at least as important — and more immediately relevant — than state or national issues.

San Jose, along with most of the San Francisco Bay Area, has one of the best qualities of life in the country. People here enjoy economic opportunity, the best climate on this continent and access to the best collection of educational institutions in any metropolitan area this side of Boston.

Nonetheless, there are important quality of life concerns that affect every resident of Santa Clara County.

There are those who would argue that this valley's most pressing problem is transportation. Our freeways are overcrowded and our public transportation system is inadequate.

But transportation is a problem that we are doing something about. Santa Clara County voters approved a half-cent sales tax increase for new freeway construction, planning is under way for construction of Highway 85 in south San Jose and the West Valley, and commuter lanes are being added to U.S. 101 and county expressways.

Freeways, however, are a relatively inefficient form of transportation. As the county continues to grow, it's crucial that congestion and commute patterns be handled by moving toward the design of a first-rate public transportation system.

This means rail transit. Bay Area Rapid Transit, while not the ideal system initially sold to voters in San Francisco, Contra Costa and Alameda counties, could potentially handle the traffic of a number of crowded freeways. BART, furthermore, has been the impetus for a new boom in central Contra Costa County.

For growth to continue in this county — and, more importantly, for downtown San Jose to become the important urban center the city's leaders want it to be — BART must be extended into Santa Clara County.

BART by itself will not solve this county's transportation problems. What is needed is an excellent transportation system — on the level of San Francisco's Municipal Railway — combining light-rail and frequent bus service.

The state of the local economy involves intricacies of foreign trade and bits and bytes that are too complex to deal with adequately in this space. And the weather, of course, is something you can talk about, but not do much about.

But our cultural landscape is just as important to the county's future as is transportation. Historically, most cities have developed as centers of trade and transportation. Great cities — New York, Paris, even San Francisco and Los Angeles — rose as centers of the arts.

San Jose is trying. Downtown is becoming something of a hub for live theater and music. The entertainment climate on South First Street is slowly moving from red-light to upscale bohemian.

But recent stumblings on the part of our small-town power elite have failed to help matters. San Jose seems to have lost a piece of public sculpture in the construction of the Fairmont Hotel. City workers have also whitewashed murals painted by east San Jose youths, thinking the murals were graffiti.

And finally, we come to education, purportedly the reason we're all here.

Stanford University and the University of California at Berkeley are excellent institutions that contribute to the reputation of the Bay Area. But until the county adopts a plan of regional government that gives Stanford a San Jose address, the city and SJSU are stuck with each other.

It doesn't have to be the uncomfortable union it is now. The university — its educational programs, sports teams, planned Student Union Recreation and Events Center, even a landscaped San Carlos Street pedestrian mall — can be a collection of community assets. And the city is a perfect, real-world laboratory where some of the most comprehensive learning can take place.

Obviously, we're not going to solve this county's problems in a thousand words or less. But local quality-of-life concerns are where the action is. They hit home.

'... HOWEVER, AS AN OPPONENT ONE MUST ADMIT HE IS A MOST ENGAGING PERSONALITY AND A CHARMING AND WITTY CONVERSATIONALIST. I AM GONNA MOIDA DA BUM, ANYWAY!'

Letters to the Editor

More spirit needed for netters

Editor,

I've been a die-hard sports fan of SJSU for the past three years now. I simply love sports, notably spectator sports such as football, basketball, volleyball, etc.

With the advent of the fall '86 semester, I — together with other sports-loving fans — will once again enjoy all that Spartan sports can offer. However, allow me to make one observation for the benefit of one particular sport — women's volleyball.

I have attended practically all the home games of our Lady Spartans since 1983, but I have never attended a home game where the SJSU marching band was present to lend the much-needed moral support. Our band has been in football fields, basketball courts (men and women), but never in a volleyball match. Why? While other universities support their volleyball teams with a complete regalia of bands and cheering squads, Spartan volleyball is left to cheer for itself. This, despite the fact that it has been in the nation's top 10 list and NORPAC champions for two consecutive years. This year, it is my prediction that our volleyball team will either be the national champions or, worst, one of the final two. Their accomplishments, no doubt, have boosted our name.

This season, they are in for tougher and more competitive matches against new PCAA opponents. Such teams as Pacific (the national champ), Hawaii, San Diego State, Cal Poly, Fresno and Long Beach, not to mention perennial rival, Stanford, are all out to quell Spartan hopes of making it to the final four. They need our all-out, unconditional and unqualified support — such as a consistent cheering squad and the band. Last year, many a match were lost because of the absence of these two ingredients. They could have won those matches against Stanford, Pacific and USC if only the SJSU community and our band lent even a semblence of support. What I did see last season was a lone male cheerer, attired in a queer-looking Spartan outfit.

Is this too much to ask from those concerned? For the sake of Spartan volleyball, let us support our team in its bid to be No. 1 in the nation.

Carlito L. Cocjin
Graduate student
Special education

Writer shouldn't opt for constraints

Editor,

Concerning Janell Hall's Aug. 27 opinion, "Pain and suffering should not be public matter": Janell! I didn't watch the shuttle explode a dozen times on television. They (broadcasters) repeated this so that everyone would have a chance to see what had happened. Maybe you should have done what many other people did and quit watching after a few times.

In general, though, I agree that network news shows exploit emotional suffering in order to heighten ratings. If you don't like what they're doing, why don't you just watch the "MacNeil-Lehrer News Hour" on PBS? (There's) very little exploitation there!

A democratic consumer society must offer a wide selection in order to allow all individuals to develop a sense of taste. If you find something disgusting, don't patronize that product — whether that product is television news, religion or pornography. But don't try to limit another person's ability to choose.

I find televised grief horrible. So do many other people. Yet some are addicted to it. That's why a tragedy from Shakespeare's "The Tragedy of Titus Andronicus" is so popular. If you don't like tragedy, stay away from it.

Just don't join the conservative right in attempting to limit what I can buy or watch!

Robert Kelley
Junior
Electrical engineering

Letter Policy

The Spartan Daily encourages readers to write letters. This is a page that gives you an opportunity to air your views on important issues.

Letters must bear the writer's name, major, phone number and class standing. Phone numbers and anonymous letters won't be printed.

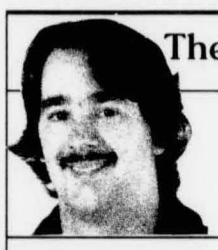
The opinions appearing on the forum page are the opinions of the individual writer.

The editorials appearing on this page are the opinions of the editorial board of the Daily.

Deliver letters to the Daily office, on the second floor of Dwight Bentel Hall, Room 208, or at the information center in the Student Union.

The Daily reserves the right to edit letters for libel and length.

The Hamm Files



Andrew F. Hamm

Monkeeing around

It is true, you can never go home again.

The Monkees appeared at Great America over the Labor Day weekend with Herman's Hermits, Gary Puckett and The Union Gap and The Grass Roots.

The Monkees joked around, sang old songs and generally behaved like we remember from the old TV series.

Yet, except for a couple of songs in which Mickey Dolenz played electronic drums (another drummer in the back played as well so you couldn't tell if he was really playing at all) and Peter Tork lazily strummed guitar, the Monkees failed to play their own instruments. Although it didn't matter to the thousands of new young fans gained since MTV started showing their old episodes, they disappointed their old ones.

All the advance publicity photos for the weekend concert showed the Monkees circa 1967, full of youth and talent.

The Monkees' hit TV show, "The Monkees," won numerous Emmys, and their first album set a record for biggest selling debut album that stood until Cyndi Lauper broke it in 1981.

Yet the Monkees continually had to fight a cynical music industry that put them down as the "prefab four" — the four were selected in auditions for the TV series in 1966. The industry claimed the Monkees were not a real group because they did not play their own instruments.

There has always been a small cult of Monkee fanatics that continued to watch reruns on the UHF stations and listen to their albums after the group disbanded. They argued, mostly among themselves and close friends (no one else really cared) that Dolenz, Tork, Michael Nesmith and Davy Jones did indeed play their own instruments.

The Monkees didn't play instruments on their first album, but the four members confronted NBC executives and eventually convinced them — after, legend has it, Nesmith put his fist through the wall at a NBC board meeting —that they could play their own instruments. The group even did two nationwide tours, playing their own instruments, without incident.

Also, songs such as "Daily Nightly," "Randy Scouse Git," "Door into Summer" were cited as examples that the Monkees could write their own music if given a chance. They went out of their way on the album covers to note that, yes, Dolenz did play drums and some guitar, Peter Tork did play bass, keyboards and guitar and Nesmith lead the band and played bass and rhythm guitar and even wrote a couple of songs to boot. The foursome even co-produced and starred in the counter-culture movie classic "Head" to try and distance themselves from their TV series a little bit.

But the group finally broke up in 1969, frustrated at not being able to break its teeny-bopper image.

Although the majority of the Monkees' last three albums featured mature, emotional, psychedelic-tinged music comparable to the Beach Boys, Byrds and other groups of the era, the group could never overcome its handicap and set off on solo projects — most without success.

Nesmith had cranked out about a dozen obscure albums before striking it big producing videos. Tork left the group in 1968 and toured small clubs with a group called Peter Tork and the New Monks. He hit pay-dirt briefly in Japan, where the smooth melodies of the old Monkee singles became very popular in the late '70s and early '80s, selling out arena-sized concert halls. Dolenz and Jones did bit-acting parts in Hollywood and in 1977 tried to revive the Monkees with Tommy Boyce and Bobby Hart, without much success.

But thanks to MTV showing the old series, people who weren't even born when The Monkees' TV show was on have started buying their albums. And with five of them now in Billboard's Top 250 list, a tour was the next logical step. Tork and Dolenz even put out a new single, "That Was Then, This Is Now," that was added to an old "Greatest Hit" album that was reissued.

However, Nesmith declined to participate in the reunion tour, to the despair of serious Monkee fans.

Nesmith, the most talented of the bunch, was the only one of the four who regulary wrote lyrics and was a pretty fair guitarist. But he has become heir to the Liquid Paper empire started by his mother and with his video business, has become a multi-millionaire and doesn't need the money.

So the Monkees are back and I'm happy for them. They always could act and they were once even a half-decent music group.

Andrew F. Hamm is the forum editor and a die-hard Monkees fan. The Hamm Files will appear every Wednesday.

Soviet ship had no time to deploy lifeboats

MOSCOW (AP) — A tourist-packed Soviet cruise ship, rammed and torn open by a freighter, sank so fast that there was no time to deploy lifeboats and more than 300 people are feared dead, a maritime official said yesterday.

The same vessel, then under a Red Cross flag, sank during World War II after striking a mine.

Deputy Merchant Marine Minister Leonid P. Nedyak told a news conference that rescue boats plucked 836 survivors from the Black Sea, most of them clinging to rafts that floated free when the liner Admiral Nakhimov plunged to the bottom at about midnight Sunday.

There were 1,234 people aboard, according to official reports.

Nedyak said 79 bodies were recovered and that 319 people were still missing two days after the collision.

"I hope and all of us hope that out of the 319 missing persons there may be some survivors," Nedyak said. But he added: "I believe that most of these passengers are still aboard the ship. Until the divers do their work it will be difficult to confirm this supposition."

He said the vessel rests on the bottom at a depth of 155 feet.

Nedyak said the information he had indicated no bodies had been recovered since late Monday. He said 29 of the survivors were hospitalized, but he did not give their conditions.

He said the liner was rammed amidships on its starboard at 11:15 p.m. Sunday by the Soviet freighter Pyotr Vasyev. The collision occurred about nine miles from the port of Novorossiysk.

Nedyak said officials believe the cruise ship sank within 15 minutes.

"The blow came into the partition between the engine room and the boiler room and, practically speaking, it ripped the ship open," Nedyak said.

"From the moment of the blow until the moment of the sinking of the ship, it was not possible to launch into water any of the rescue boats," he said.

Nedyak said it was too soon to assign blame. He said there was no fog at the time of the collision.

He said about 50 vessels were continuing search and rescue operations, along with helicopters and other aircraft.

There were no casualties among the crew of the freighter, which was laden with grain, Nedyak said.

The 888 cruise ship passengers were all Soviet tourists, mostly from the Ukraine and Baltic republics, he said. He said about 270 of the 346 crew members were among the survivors.

Nedyak said he was not sure how many children were aboard. He said five of those rescued and two found dead were children.

Nedyak said that among the survivors of the Admiral Nakhimov was the captain, Vadim G. Markov, who had skippered the ship since 1959. He identified the captain of the freighter as Viktor I. Tkachenko.

Lloyd's Registry of Ships says the Admiral Nakhimov was 575 feet long and was built in Germany in 1925 as a steam-powered vessel. It was later refitted with diesel engines.

Archives of the North German Lloyd shipping concern, which owned the vessel when it sailed under the name "Berlin," show the German navy pressed it into transport service in the Baltic Sea at the start of World War II in 1939.

In 1944, it was converted to a Red Cross ship and carried German refugees westward from the eastern provinces being taken over by the Soviet army.

According to the reference book "Great Passenger Ships of the World, Vol. 3," it struck a Soviet mine on Feb. 1, 1945, and sank near the Baltic port of Swinemunde. The book provided no figures on loss of life in that sinking.

The vessel was raised by the Soviets in 1949 and rebuilt.

Nedyak said that, despite its age, the ship was "in good working condition."

Near misses called common

PALMDALE (AP) — Near misses between airplanes are common because the skies are crowded and some small planes either transmit incomplete information on their location or none at all, air traffic controllers say.

"It's unfortunate that this had to happen," controller Dennis Cottle said of the weekend collision between a small Piper Archer and an Aeromexico DC-9 jetliner that killed at least 67 people.

"But by the law of percentages, it does have to happen," Cottle said.

Another controller, Kathy Heet, agreed, saying that on sunny holidays, her radar screen is jammed with blips, each of which is an airplane.

"You see planes all over your scope because everybody and their brother is flying," Heet said. "Even if you see every plane up there, you can't track every one. It's impossible."

What's worse, Heet said, small planes are frequently spotted in prohibited air space — that is, places they shouldn't be without getting clearance from controllers.

"I think they're crazy," she said of such pilots.

Near misses, she said, are a "frequent problem."

"Sometimes they will be tracked to an airport and somebody will talk to them there. Sometimes they will get written up and admonished. But oftentimes, nobody does anything about it," she said.

Cottle and Heet are controllers at the regional air traffic control center in Palmdale, about 60 miles north of Los Angeles. The center watches over planes as they fly between airfields from Bakersfield to the Mexican border and into Nevada and Utah.

"There's lots of chances to miss (a plane)," said Cottle, a former pilot for Southeast Airlines. "It happens all the time.

"Sometimes you see it (a small plane) but the pilot of the big jet says he can't see it. They (the blips) come together on the radar screen, and you cringe. You hope there are two targets (blips) when it's over. That happens to controllers every day."

Besides the sheer number of planes to track, controllers are faced with the problem that some small planes either don't send out complete information —or, worse yet, don't transmit any at all.

National Transportation Safety Board officials said the transponder of the light plane invovled in Sunday's crash was turned on but didn't provide data on its altitude.

Terrorists claim U.S. ruined French agreement

BEIRUT, Lebanon (AP) — Islamic Jihad claimed yesterday that the Reagan administration blocked an agreement with France that could have freed the French hostages in Lebanon.

The terrorist group, which is believed to be linked to Iran, also renewed its demand that two Shiite Moslem Iraqi activists deported from France in February be returned to Paris as a precondition to freeing the French captives.

The demand was made in a typewritten Arabic statement delivered to the west Beirut office of a Western television network along with a five-minute videotape of kidnapped French journalist Jean-Paul Kauffmann.

The statement said the election of the government of French Premier Jacques Chirac brought "signs of a solution for the hostages question."

However, the statement said the Reagan administration secretly sent an emissary to Paris "carrying orders for a total coordination with the great Satan on the hostages problem." Islamic Jihad, like Iran, often refers to the United States as "the great Satan."

The statement claimed France had been instructed not to respond to Islamic Jihad's overtures and "consequently the door was slammed shut for any solution to this issue."

Kauffmann, 43, was kidnapped May 22, 1985, on the Beirut airport highway along with French research analyst Michel Seurat.

Islamic Jihad said last March it had killed Seurat, 38, in retaliation for the expulsion from France of Iraqi opposition activists Fawzi Hamzeh and Hassan Kheireddine to Baghdad, the Iraqi capital. No body was found.

Yesterday's statement said Hamzeh and Kheireddine were in prison in Baghdad, adding the French government "should be reminded that its credibility is at stake."

The two men officially were reported pardoned by Iraqi President Saddam Hussein. The French government said in March that its ambassador to Iraq had visited the two men in Baghdad and made sure of their well being.

There was no response to the statement from the French government, which does not comment on the French hostages as a matter of policy.

Cathy Smith gets three years in comedian Belushi's death

LOS ANGELES (AP) — Cathy Evelyn Smith, a former rock backup singer who admitted injecting comic John Belushi with drugs before he died, was sentenced Tuesday to three years in prison after a judge called her "the source of the poison."

Superior Court Judge David Horowitz said, however, he believes the true responsibility for Belushi's death must be attributed to the comedian himself.

"It is clear to me that John Belushi was responsible for his own death," said the judge ". . . his decision to live a drug-infested life led to his death."

He told Smith this did not absolve her and, declaring "you were the source of the poison," adding that only prison time could teach her a lesson.

At the end of the sentencing hearing, Smith was taken into custody to begin serving her sentence.

Belushi's widow, a younger brother and his sister-in-law sat in the front row of the courtroom as the sentence was pronounced. They had appealed to the judge to put Smith behind bars as a lesson to youngsters who might be tempted to try drugs.

The judge rejected an impassioned plea from Smith's attorney, Howard Weitzman, who urged that she be placed on probation and be allowed to enter a drug rehabilitation program.

He conceded that Smith has had a recurrence of her heroin problem.

"This court has the opportunity to do what no one could do for John Belushi — to help Cathy Smith."

The attorney repeatedly summoned the ghost of Belushi, saying the comic surely would speak in favor of Smith's probation if he was present.

"I believe if John Belushi were standing right here today and looked at your honor, he would say, 'Wait a minute judge. I lived my life as I wanted to live it. Don't blame her. She did what I wanted to do,'" Weitzman said.

The prosecutor, Deputy District Attorney Elden Fox, said he agreed that drug addiction is a disease. But in Smith's case, he said it became a crime, and he recommended the three-year sentence ultimately imposed by Horowitz.

"John Belushi was a willing participant," Fox said. "But John Belushi would not have died, when he died, except for the heroin administered by the defendant in this case."

He said that in reality, she would serve about a year and a half before she could be paroled.

Belushi, 33, died March 5, 1982 in a rented bungalow at the Chateau Marmonte Hotel above Sunset Boulevard. The death of the "Saturday Night Live" star was attributed to heroin and cocaine.

Belushi was the star of such movies as "Animal House," "The Blues Brothers," and "Continental Divide."

Smith, now 39, was questioned then, but released. She was arrested a year later after she told of her involvement in a National Enquirer interview and was quoted as saying she killed Belushi.

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Since 1934
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Nixon: Watergate 'thinnest scandal'

WASHINGTON (AP) — Three months before he resigned, a confident President Richard M. Nixon called Watergate "the thinnest scandal in American history," in a private tape-recorded conversation released yesterday by the National Archives.

Most of the 4,467 tapes were of various public and official events recorded by the White House Communications Agency between Jan. 20, 1969, when Nixon became president, and Aug. 9, 1974, when he resigned under the prospect of impeachment and conviction for taking part in the Watergate coverup.

"If these charges on Watergate were true, nobody would have to ask me to resign — I wouldn't serve for one month," Nixon told Rabbi Baruch Korff on May 13, 1974.

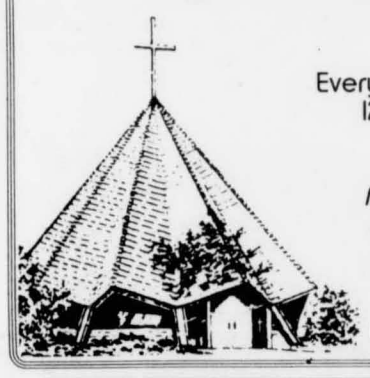
"But I know they are not true," he said, "therefore I will stay here and do the job I was elected to do as well as I can and let the constitutional process make the final verdict."

There was talk after Nixon's resignation of bringing criminal charges against him. But Gerald R. Ford, who succeeded him, put a stop to any such action by issuing a pardon for Nixon, "for any crimes."

The audio tapes and a large batch of television recordings were part of the materials left behind by Nixon and his top aides. The government seized the materials intending to make them public, but a series of lawsuits and congressional actions over the years have prevented it.

On June 26, regulations went into effect to govern public access, but they permitted challenges by Nixon and 60 others who asked to be notified before any release. The group of recordings released yesterday also was subject to challenges, but because they were mostly in the public domain no one apparently tried to stop them.

Study of The Gospel of John



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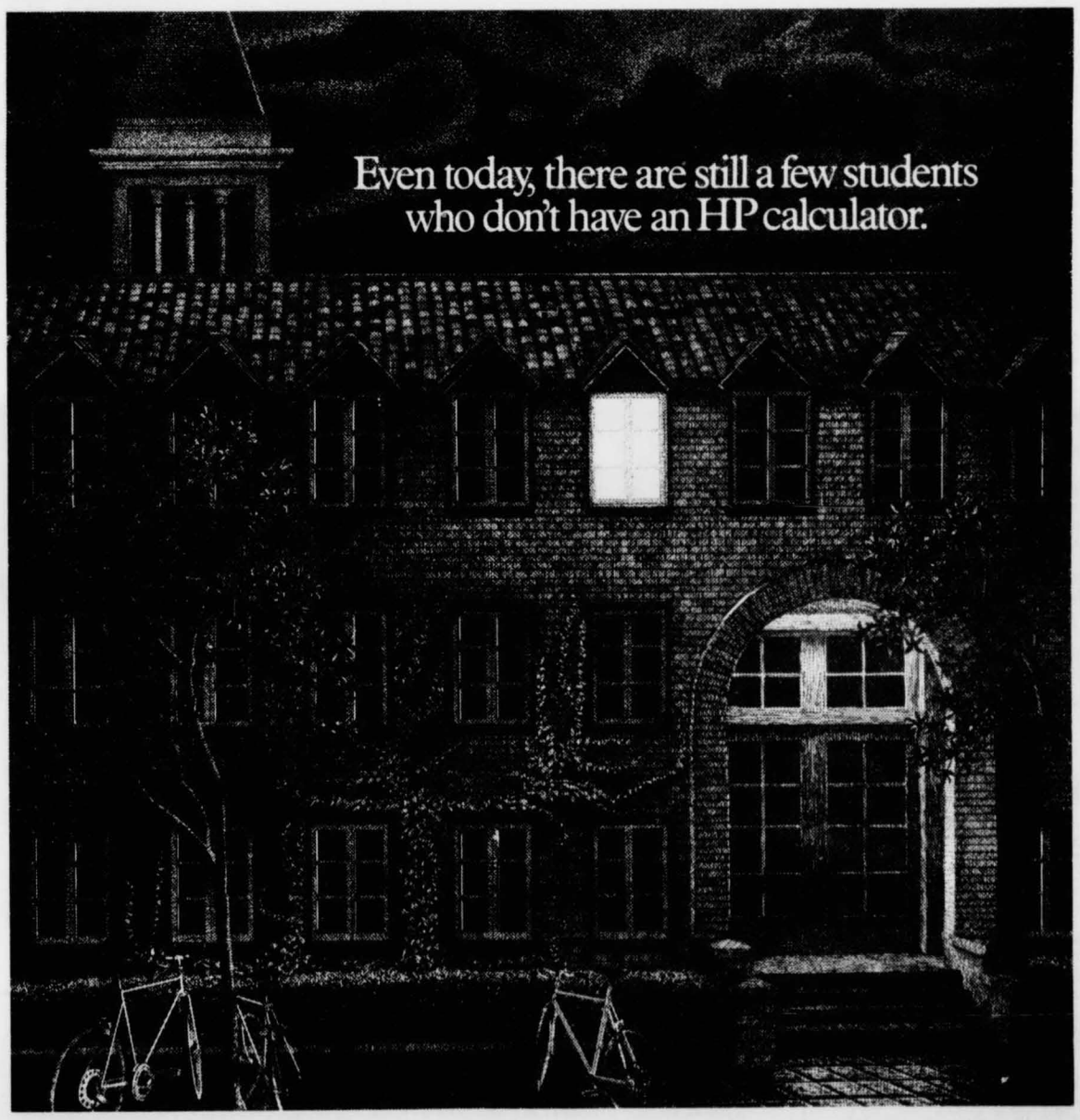

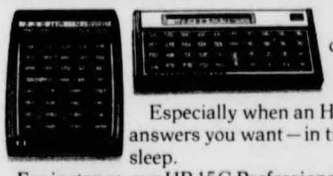

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State will pick up tab for aspiring teachers

By Amy L. Pabalan
Daily staff writer

Students planning to become teachers can have their student loans paid by the state if they meet certain criteria set down by the state Legislature.

California's Legislature passed a new law encouraging students to enter the teaching field. Under the restructured program, qualified students can receive up to $8,000 in loan assumption benefits on the condition that the student enters the public teaching profession.

The new law restructures the Assumption Program of Loans for Education. Once offered to full-time teachers only, it requires applicants to be prospective teachers.

Those chosen for the program must receive a teaching credential in science, mathematics or bilingual education and agree to teach that subject in a public school for three consecutive years. Or they can receive any teaching credential and agree to teach any subject in a public school where there is a high population of low-income students.

Applications are available at the Financial Aid Office, Wahlquist Library South, Room 209. Deadline for the applications and a letter of recommendation is Friday, Oct. 10.

There are 500 openings in the program statewide, and SJSU is slated to fill 25 of those positions, said Donald Ryan, director of Financial Aid Student Services. The number of teaching credentials given by the university each year determines how many students can participate in the program, he said.

"There is $200,000 set aside by the California Legislation for our students which will be used to pay for their student loans," Ryan said.

Applications will be reviewed by a four-member screening committee. The committee will select and recommend 25 students to the APLE commission for consideration.

Ryan said about 25 percent of the students at SJSU receive student loans. He said that between 150 to 200 applications will be submitted.

"There has been a shortage of teachers in science, math and bilingual education," he said. "There is also a shortage of teachers willing to teach in low-income areas."

Applicants must carry a 3.0 grade point average and have passed the California Basic Educational Skills Test to be eligible for the program. They must have also finished at least 60 units of lower division work and be currently enrolled in at least 10 units this semester.

Homecoming '86 Committee has corrected past mistakes

By Anthony C. Perez
Daily staff writer

Improved coordinating efforts by the '86 Homecoming Committee, as well as the addition of people with organizing skills and experience, has allowed plans for Homecoming to progress smoothly, said Tim Orozco, Homecoming committee chairman.

"Thus far we haven't encountered any problems and we don't intend to," he said. "We've corrected the mistakes."

Despite the fact sponsorships have yet to be secured, Orozco said he feels confident the experienced people serving on this year's committee can avoid the type of problems that plagued them in 1985.

Last year the committee had financial difficulties stemming from a disputed T-shirt contract. The settlement resulted in the committee purchasing 500 T-shirts, instead of 250 originally agreed upon.

The T-shirt fiasco was a contributing factor to the financial woes that carried over to this year's Homecoming account. The income carried over from last year's Homecoming budget was listed at approximately $905, but the exact amount will not be known until an audit is completed, said Jean Lenart, A.S. business officer.

The amount of money that carried over from Homecoming '84 was $4,000, Orozco said during an Associated Students board of directors meeting Dec. 4.

According to Orozco, the Homecoming Committee has only a $2,000 allocation from the A.S. in its account at present, but that amount is expected to increase when sponsorships are secured.

Vice Chairwoman Rebecca Purdin said the committee needs $3,000 from sponsors and expects to hear from them later this week.

Orozco said the committee has taken steps to prevent a similar problem from occurring this year by making sure the T-shirts arrive two weeks prior to Homecoming so that they can be sold the entire week. Last year, he said, T-shirts were sold only on Homecoming Day.

Those not sold last year will be used to help promote this year's Homecoming, which is being called "Sparta Gras: Homecoming Spartan Style," he said.

Homecoming activities begin Sept. 9 and run through the day of the Homecoming game on Oct. 4 when SJSU is scheduled to play Fresno State at 1:30 p.m. at Spartan Stadium.

Orozco said the '85 committee had additional problems involving Homecoming information. Packets, containing information pertinent to the events scheduled for Homecoming Week, were distributed to student clubs and organizations in an effort to gain their support and involvement. The Inter-Residence Hall complained they were solicited for support last year but did not receive a packet.

This year packets will be made available to all campus organizations "a couple of weeks prior to Homecoming," Orozco said.

Orozco said he feels the '86 Homecoming Committee has taken necessary steps to ensure that this year's events are well organized and coordinated. The key, he said was adding experienced people like Cindy Ono and Scott Davies to the committee.

Homecoming Week events will feature some new activities, but the committee is hoping to expand on "Street Faire," which is becoming a tradition at SJSU, Orozco said.

"The Street Faire should be really good because we'd like to have it two days this year," Orozco said, adding that the committee needs to obtain SJSU President Gail Fullerton's permission to hold a second day of the Street Faire.

Daniel R. Buerger, executive assistant to Fullerton, said that the president's office is receptive to ideas that would contribute to the success of Homecoming.

"From all indications it (the Street Faire) was a success last year. . . we'd have to wait and see what problems might arise," Buerger said.

New events this year, Orozco said, include plans to hold a street dance and a post-game party, since the game this year is scheduled to be played in the afternoon.

Orozco said he doesn't feel that getting students involved in Homecoming will be a problem, nor does he feel that the committee has to pursue community involvement.

"I'm content in having San Jose State students get involved than in going out and seeking (community) support," he said.

Airport noise defended by proposed law

SACRAMENTO (AP) — In a victory for airport operators, the Legislature approved a bill Friday that would restrict the numbers of small claims lawsuits filed by homeowners living near noisy airports.

Supporters of the measure, AB 1801 by Assemblyman Richard Robinson, D-Garden Grove, say groups of homeowners near the San Francisco and Orange County airports have repeatedly filed small claims lawsuits, which can be filed every 100 days for $1,500 each.

Such suits can be filed time after time for continuing nuisances, which the law defines as actions that can cause injury or hurt property values and that can be discontinued at any time. If a nuisance is permanent, an injured person must recover damages in one lawsuit and cannot keep refiling.

In 1985, the state Supreme Court ruled that airports are the "quintessential continuing nuisance," and said homeowners may treat airport noise and vibration as a continuing or permanent nuisance.

A.S. budget receives blow from fee hike

By Sue Kiyabu
Daily staff writer

The $9,000 in custodial fees the Associated Students paid to the university last year has doubled and is expected to double again within a period of three years, A.S. President Tom Boothe said.

Custodial charges are for the services the university provides to auxiliary groups, such as A.S.

The state requires that the university charge a fee for its services," said Dan Buerger, assistant to the president at SJSU. "And the state has to be reimbursed."

The California State University system is setting up a task force to determine how the universities arrive at these custodial charges.

Inconsistencies within the CSU system among the various campuses have members of the California State Student Affairs pushing for an analysis of the system.

Lou Messner, assistant vice chancellor of budget planning for the CSU system, said the practice of charging a collection fee is common and is done at every university in the CSU system with auxiliary services, such as A.S.

Bob Gunter, director of CSSA at SJSU and member of the task force said John Hillyard, CSU chief of auxiliary and business services, is expected to head the task force. The task force scheduled to begin next month.

The CSSA is a group made up of students which deals with specific issues concerning CSU campuses.

The university serves custodial charges to the various auxiliary service groups on campus.

In addition to the A.S., the Student Union and Spartan Shops make up some of the groups for which the university performs services.

Mail delivery and the collection of student fees are among these services.

Connie Sauer, academic executive vice-president of A.S. business affairs, said that the estimated eventual phase-in of a $36,000 charge is part of a policy in which CSUs charge auxiliary service groups for any service provided.

Auxiliary groups, such as A.S., often don't have the funds to pay the full amount for services rendered, thus the eventual phase-in. The collected fees are divided among the separate offices performing the services, Sauer said.

> 'The fee does not cover the total expenses for the services which the university provides for the A.S.'
>
> — Connie Sauer, executive vice president of business affiars

"The fee does not cover the total expenses for the services which the university provides for A.S.," she said.

Sauer said a detailed cost study was done "about a year and a half" ago at SJSU, which calculated a cost. The study is updated annually.

In a memo dated March 15, 1985, the cost detailed showed a $33,000 debt the A.S. was charged by the university, although it did not pay the full amount.

According to Sauer, the A.S. has been getting a break. She said if the study showed the real cost was something the organization couldn't afford to pay, then a phase-in, which usually takes three years, was set up to allow the organization to adjust to the cost. This is the first year of the phase-in for the A.S.

"Because the A.S. is not a wealthy auxiliary service, it's not currently being charged the full amount," Sauer said.

But the phase-in of charges has now begun, and members of the A.S. are questioning the methods by which the university has deduced the monetary charge.

Gunter has been appointed as one of the two student members of the system-wide task force designed to analyze the methods of determining the custodial fee. The other student member is Michael Rogers from California State University at Los Angeles. The task force will study in detail the methods of determining custodial charges.

Gunter said he isn't sure what the specifics of the task force entail, although he is sure that it will study the differences between the custodial costs of the campuses and more efficient ways to handle paper.

Gunter emphasized the aspect of studying the problems and analyzing the inconsistencies within the CSU system.

Boothe said A.S. officers from other universities are also questioning the procedure of custodial charges.

In a memo dated Feb. 12, CSSA chair Damone Hale, noted to Chancellor W. Ann Reynolds, the California State University at Hayward charged $28,000 and the California State University San Francisco charged $72,000 to their individual A.S. in custodial fees.

Inconsistencies such as these will be examined by the task force.

"It's (the task force) been put on the back burner for a while, but is scheduled to be on again next month," Gunter said.

Correction

Due to incorrect information from a source, it was erroneously reported in Friday's issue of the Spartan Daily that the athletic department would raffle a Mecedes Benz at the Fresno State game Oct. 4. The car will actually be a door prize at an event sponsored by the Spartan Foundation. It is the policy of the Daily to correct all errors.

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SPARTAN PUB
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Hustler publisher loses $2 million in court

LOS ANGELES (AP) — Hustler magazine publisher Larry Flynt isn't one to shy away from controversy. He's fought enough lawsuits to prove it.

Flynt had a loss and a victory Friday in two separate court actions.

Hustler magazine was ordered Friday by a federal appeals court in Washington to pay more than $2 million to a freelance photographer for the unauthorized printing of 11 nude photographs of former Capitol Hill secretary Elizabeth Ray, the self-proclaimed mistress of former U.S. Rep. Wayne Hays.

In a separate decision Friday, a federal appeals court in New York found Penthouse magazine publisher Robert Guccione "libel-proof" on the subject of adultery and threw out a $1.6 million libel judgment against Hustler.

Guccione sued Flynt and Hustler after a 1983 article that said Guccione was married and was living with a girlfriend. Guccione had been divorced in 1979 but he'd been living with a girlfriend since 1966.

Flynt, who made a short-lived bid for the Republican presidential nomination in 1984, hasn't been so lucky in other cases, however.

A federal appeals court in Richmond, Va., has upheld a $200,000 award to evangelist Jerry Falwell. Jurors had found the Moral Majority leader the victim of emotional distress by a Hustler cartoon depicting him as an incestuous drunkard.

Flynt, 43, left a paraplegic by a 1978 assasination attempt in Lawrenceville, Ga., was admitted unconscious to a Los Angeles hospital Aug. 11 with an undetermined illness, but was released several days later, according to a hospital spokesman. The cause of his illness was not released.

The father of four who lives in Los Angeles could not be reached Friday evening through his publishing company in Century City, said security officer John Savage.

Flynt has gained notoriety in the past for his courtroom antics.

Two years ago, a federal judge in Los Angeles ordered him gagged and handcuffed to his wheelchair after an obscene outburst during a court hearing.

Another federal judge here put Flynt on probation for three years and ordered him to continue psychiatric counseling after he illegally wore a Purple Heart military decoration.

A charge for desecrating an American flag, which he wore like a diaper, was dropped for a guilty plea on the Purple Heart charge.

Dog and man make award-winning team

By Scott G. Hamilton
Daily staff writer

He could be in the bushes, or perhaps he has taken to the trees. Maybe he is crouched inside the crude shelter off to the left, or maybe he is . . . well, who knows?

The Shadow knows.

Shadow, a 2-year-old purebred German shepherd, makes up half of the University Police Department's canine unit. Officer Brian Garrett is the other half, and as Shadow's handler and partner, he puts a great deal of faith in the dog's abilities, both on the job and in competition.

"Everything that I'm involved in, he's involved in," Garrett said.

"When I've got two or three suspects, I can only take one guy. So, I put him on the others.

"We are a team. He's my partner."

That trust and camaraderie has led the two to several titles in canine competitions throughout the state during the past year.

Shadow placed third in the attack phase and fourth overall in a Modesto competition in January. He took first in the search phase of a Stockton meet in May and also placed first at the California police trials in Newport Beach in June.

The best segment to win is the search phase because it is what the dogs are used for most often, Garrett said.

In a search competition, a person posing as a suspect hides in a wooded area approximately 300 square feet in size. The canine is released and must alert its master.

Shadow and Garrett are constant companions. Although they live together, Shadow actually belongs to the state. The state purchased the Frankfurt-bred dog for $5,000, which also covered his initial training in Germany.

Consequently, Shadow only responds to commands in German. He receives tune-up training twice monthly from a professional trainer and maintenance training from Garrett every other day.

The maintenance training is essential, "or else the dog will get really lazy on you," Garrett said.

A competition this month in Modesto will be one of Shadow's last for this year. Garrett said that once school is in session, he and Shadow must concentrate on campus crime.

Their duties while patrolling together have included a kidnapping case, a mountain search and rescue and the recent apprehension of an alleged car thief.

And in spite of the games, Garrett trusts his life to Shadow, he said.

"The first gun shot where I was hit, he would come out of the car automatically," Garrett said.

Garrett does not take such obedience and commitment lightly.

"If I was to leave the department, I'd offer them every penny they had put into him," he said.

April Swift — Daily staff photographer

UPD Officer Brian Garrett and his dog Shadow show off the trophies the canine has won in competitions across the state.

AIDS patient barred from flight dies in Bay Area

SAN FRANCISCO (AP) — An AIDS patient who attracted national attention after he was barred from a Delta Air Lines flight has died.

The San Francisco-based Mobilization Against AIDS had threatened a boycott of Delta after Mark Sigers, 31, was removed from a Delta flight Aug. 5 in Atlanta because he was unaccompanied by a medical attendant.

The airline three days later apologized for the inconvenience caused to Sigers, averting the boycott. Sigers returned to San Francisco on an Eastern Airlines flight.

"In a world full of what appear to be impersonal forces against individual rights, many people will never know whether they made a difference," said Frank Richter, co-chairman of Mobilization Against AIDS. "There's no question Mark did."

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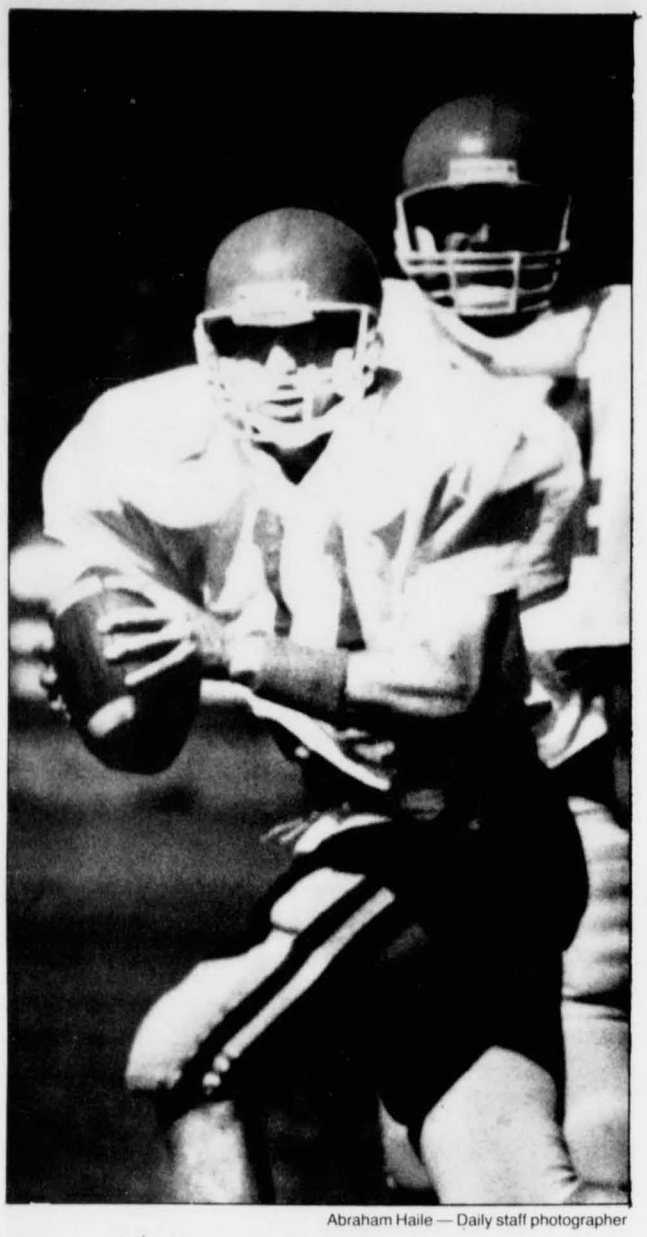

Abraham Haile — Daily staff photographer

JC transfer Mike Perez hopes to turn around the Spartans' fortunes

By Greg Stryker
Daily staff writer

He's never taken a snap in a major college football game.

He didn't even play all four quarters in his junior college games.

Yet Spartan quarterback Mike Perez has drawn nothing but praise from his coaches and teammates during summer training camp.

Perez, a junior college transfer from Taft Community College, will be the starting quarterback for SJSU when they open the season against Oregon Saturday night at Spartan Stadium.

"His work over the summer was most impressive," Coach Claude Gilbert said. "He came back in great physical condition.

"A lot of credit is due him for the way he's got himself ready."

Perez, a 6-foot-2, 205-pound junior, has the physical tools to become a quality quarterback at the four-year college level, Gilbert said.

"His size helps," Gilbert said. "He can see over the linemen and he's very strong, which makes him hard to knock down.

"He's got a very strong arm, and he will throw it about as far as you want it."

Perez managed to beat out junior transfers Ken Lutz and Tony Locy.

Locy is expected to miss the first two games because of a dislocated shoulder he suffered in the team's first scrimmage.

The starting spot was left wide open once last year's quarterback Doug Allen was declared academically ineligible.

Perez is majoring in Administration of Justice.

He redshirted last season so he could learn the offensive system better.

Two years ago at Taft Community College, he completed 65.5 percent of his passes.

Perez was also an all-city player at South Hill High School in Denver.

"I feel I've learned the system pretty well," Perez said. "The year I redshirted helped me a lot."

"I'm anxious for the season to get going," he said. "I think everbody is really eager to see how we're going to do."

Perez has an improved receiving corps to haul in his passes.

Wide receiver Greg Eskridge has impressed players and coaches this summer with his speed.

Eskridge has run the 40-yard dash in 4.42 seconds and the 100 in 9.5.

In addition, wide receiver Lafo Malauulu is healthy this season.

> 'Mike stays in the pocket a long time. He has a nice touch, but when he needs to drill it, he does.'
>
> **— Lafo Malauulu, SJSU wide receiver**

He caught only 13 passes last year because of a nagging foot injury but caught 76 passes at Palomar Junior College the year before.

Perez has impressed Malauulu this summer with his cool under pressure and his delivery.

"Mike stays in the pocket a long time," Malauulu said. "He has a nice touch, but when he needs to drill it, he does."

Perez said he patterns himself after Pittsburgh Steeler great Terry Bradshaw, who quarterbacked the NFL club to four Super Bowl victories.

Bradshaw was able to stay calm in the face of tremendous defensive pressure, and Perez must do the same if he expects to be succesful.

The Spartans open against four Pac-10 teams, which means he will face some talented defensive atheletes.

The only question Gilbert has is whether he can execute under pressure.

"There aren't any apparent weaknesses," Gilbert said. "It's just a matter of him doing it under fire."

Spartan quarterbacks were intercepted 23 times last season.

Combined with a spotty defense and a demoralizing start, SJSU finished 2-8-1.

Keeping the ball from defenders' hands will be a big challenge for Perez this season.

But then, that's what he's been doing all summer.

Facing challenges.

Five hundred recruits fail to meet standards

NEW YORK (AP) — Almost 500 major-college football and basketball recruits are ineligible this year under new, stricter NCAA academic standards, an Associated Press survey shows.

The survey, conducted by telephone during the the past two weeks, found that 358 football recruits and 134 basketball prospects will be unable to play their freshman years. Twelve schools did not respond.

Among other findings:

Almost half of the 286 NCAA Division I-A schools lost recruits for basketball, football or both.

Hit hardest were small, predominantly black schools, such as Bethune-Cookman and Alabama State, which lost almost their entire football recruiting classes.

Oklahoma, college football's defending national champion, lost the most recruits among major schools, with 11 ineligible freshmen.

The Ivy League — Brown, Penn, Cornell, Columbia, Princeton, Yale, Dartmouth and Harvard — had the best recruiting record. It lost no one.

About 20 percent of the ineligible players come from four major conferences, the Southeastern (35), Southwest (30), Big Eight (24) and the Big Ten (22).

"I don't think the number is alarming when you spread it across 286 schools," said Jack Davis, NCAA president and faculty representative for Oregon State. "I thought more athletes would be ineligible."

"A school recruits between 30 and 35 athletes in football and basketball," he said. "Multiply that by the 286 Division I schools and that's 8,500 kids, less really because not all schools are in both sports. To find 400 or so ineligible, that's 5 percent. On average, that's very positive."

Proposition 48, adopted in 1983 and implemented Aug. 1, requires a minimum grade point average and standardized test scores covering a basic core curriculum of 11 high school courses.

A sliding scale is in effect now, but by 1988 only a 2.0 GPA and a 700 on the Scholastic Aptitude Test (15 on the American College Test) will be acceptable minimums for freshmen eligibility.

Schools that failed to respond to the survey included Memphis State (basketball), Coppin State, Lamar, University of Pennsylvania, Mississippi Valley, Prairie View, Boston University, Cal-Santa Barbara and Tennessee State.

The University of Virginia and Washington State declined to answer questions about freshmen eligibility.

Grambling referred phone calls to football Coach Eddie Robinson, who was unavailable for comment.

Black athletes appeared to be bearing the brunt of the new rules' impact.

Bethune-Cookman, a small black school that plays in the Mid-Eastern Athletic Conference, recruited 12 freshman football players and lost all of them.

Cal running back balances classes with playing time

BERKELEY (AP) — Having conquered the classroom this summer, Marc Hicks is ready to take on the Pacific-10 Conference this fall.

"We've got the potential to go to a bowl game this year," the University of California's talented sophomore running back said.

Hicks told the Pac-10 football Skywriters that he took eight units of summer school classes to make up two incompletes last year.

"School was a lot tougher than I thought it would be," he admitted. "I thought I could come in and play and I'd know what to do (academically). But I didn't. I started falling behind (in class).

"I think I've got a handle on it now," he said. "It was a problem as a freshman ... a careless freshman, I might say."

On the field, Hicks got top marks as a freshman, gaining 538 yards rushing and 311 more on 19 pass receptions in limited playing time.

"One difference this year is I'll be getting the ball a lot more," Hicks said. "They'll be coming after me, but I'm ready for it."

Coach Joe Kapp, starting his fifth year, said Hicks and the team's improved depth will enable them to compete.

"Marc Hicks gives us a chance," Kapp said. "As a team man, as enthusiastic and as confident as he is, he's very important to us."

The Bears will be led at quarterback by junior Brian Bedford and senior Kevin Brown, who also shared the job during last year's 4-7 campaign. Bedford enters the Sept. 13 season-opening game at Boston College as the No. 1 man.

The remainder of the offense will have a slightly different look, as the Bears have tried to find some speed to go along with Hicks, who runs 4.4 for 40 yards.

Redshirt freshman Darrin Greer and Oklahoma transfer Chris Richards both boast great speed, as does freshman wide receiver Michael Ford.

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SJSU drug testing delayed by deficit

By Paul Heally
Daily staff writer

Drug testing of athletes at SJSU will not be implemented this semester as originally planned.

Budgetary problems that have wracked the men's athletic department are the main reason drug testing has not been instituted, according to Vern Wagner, interim men's athletic director.

In addition, the athletics board, a university advisory group, returned in March a proposed drug testing program to an ad hoc committee for further consideration.

"There was a proposal that had been given to them (the athletics board)," Wagner said, "and they wanted more clarification."

"What we saw was a program with a lot of questions," Athletics Board Chairman Carol Christensen said. "We wanted the program to focus on the educational part of it."

Christensen said the athletics board also wanted more feedback from coaches.

"We don't want to approve something the coaches don't want," she said. "We felt the coaches should be consulted."

In January, former Men's Athletic Director Lynn Eilefson said a drug testing program would be in place by this semester.

But that was before budget revelations and the athletic board's deferring of the original drug testing proposal.

Charlie Miller, head men's athletics trainer and chairman of the ad hoc committee, said his group had been working since last year to put a testing program together.

Miller said they studied drug programs at other schools to determine what would work, and they investigated the legal aspects of any proposed program.

"The mechanical aspects (of a drug testing program) are there," Miller said, meaning the committee had established a system of securing "good samples" by preventing tampering, and had set up a system of handling the results.

Miller said there was a wide range of beliefs concerning punitive action at the athletics board's March meeting.

His committee had proposed a one-year loss of eligibility on the first offense and mandatory counseling or, in severe cases, rehabilitation.

The handling of people who tested positive would be three-tiered, with the third offense calling for automatic expulsion from the institution.

"The idea of any program is, first off, to help the kids, to identify a problem, and then to get him help. That was the unanimous feeling of the committee," he said.

However, both Wagner and Women's Athletic Director Mary Zimmerman place top priority on drug education.

"Personally, I feel drug testing is like closing the gate after the horse has gotten out," Wagner said. "We have to make the student-athlete aware of the hazard."

Zimmerman said she would like to take drug education a step further by offering it to the campus community.

As it stands now, athletes usually receive drug education from team trainers and are given an NCAA pamphlet to read.

Each athlete must then sign a waiver stating he has read the pamphlet, Wagner said.

Signing the waiver also allows the NCAA to test the athlete for drugs.

At January's NCAA convention in New Orleans, member schools passed Proposition 30, which instituted mandatory drug testing at all NCAA championships and bowl games. Furthermore, it provided for random NCAA testing of various universities.

Golfers shooting for PCAA flag

Spartans expected to dominate

By Karin Smail
Daily staff writer

If confidence was a disease, women's golf coach Mark Gale would be in an intensive care ward under constant watch. According to Gale, SJSU's toughest competition this year will be itself.

The Spartans will be competing in the PCAA conference for the first time this season, because of a shortage of teams in the NorCal conference.

San Diego State, Hawaii and Long Beach State are the only teams competing with SJSU, and Gale said the Spartans have never lost a tournament to any of the three.

"We will see each of the teams in our conference three times over the season, and San Diego will be the toughest team we'll face. I'm expecting to see us finish first in the league," Gale said.

Gale certainly has the team with which to win.

Four players from the 1985 team, which was ranked third in the nation, are back on the links.

All-America juniors Dana Lofland and Julie Ralls, both accomplished veterans with high national rankings, should again be a force in the Spartans' quest to win the NCAA championship.

Australian recruit Lisa Ipkendanz is also back, much to Gale's relief. The talented Aussie had debated returning to the "land down under" for financial reasons, but she changed her mind.

Senior Nancy Brown, juniors Rene Van Fossen and Jackie Wilson and sophomore Anne Jones will make it tough for Gale to decide which five team members will travel to tournaments this year.

"The team has matured a great deal, and all the girls are excellent, experienced players," Gale said. "All of them go through cycles however — times when they play really well, and times when their scores are really high.

"I'm sure they'll all get tournament playing time."

Each team plays three qualifying rounds before every tournament, and the lowest combined scores determine which players will compete.

The Spartans finished eighth in the NCAA championships last year.

"We're favored to win the PCAA and also to finish in the top ten in the nation," Gale said. "Florida has won the NCAAs the last two years, and Oklahoma State, Southern Methodist University and the University of Oklahoma will all be up there in the rankings."

SJSU is consistently one of the best women's golf teams in the nation, and former Spartans Patty Sheehan and Julie Inkster never hesitate to praise the school's program.

"Inkster lives right here in Los Altos, and whenever she's in town she'll come over and give the girls putting or chipping tips," Gale said. "She's a great influence on the players, and a major reason why the top recruits choose SJSU over other schools."

As if out of respect for Sheehan, the Spartans won the 1985 SJSU-Sheehan Invitational, defeating 11 ranked teams, including top-ranked Texas.

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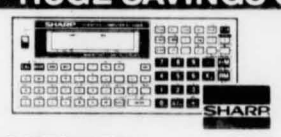

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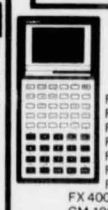

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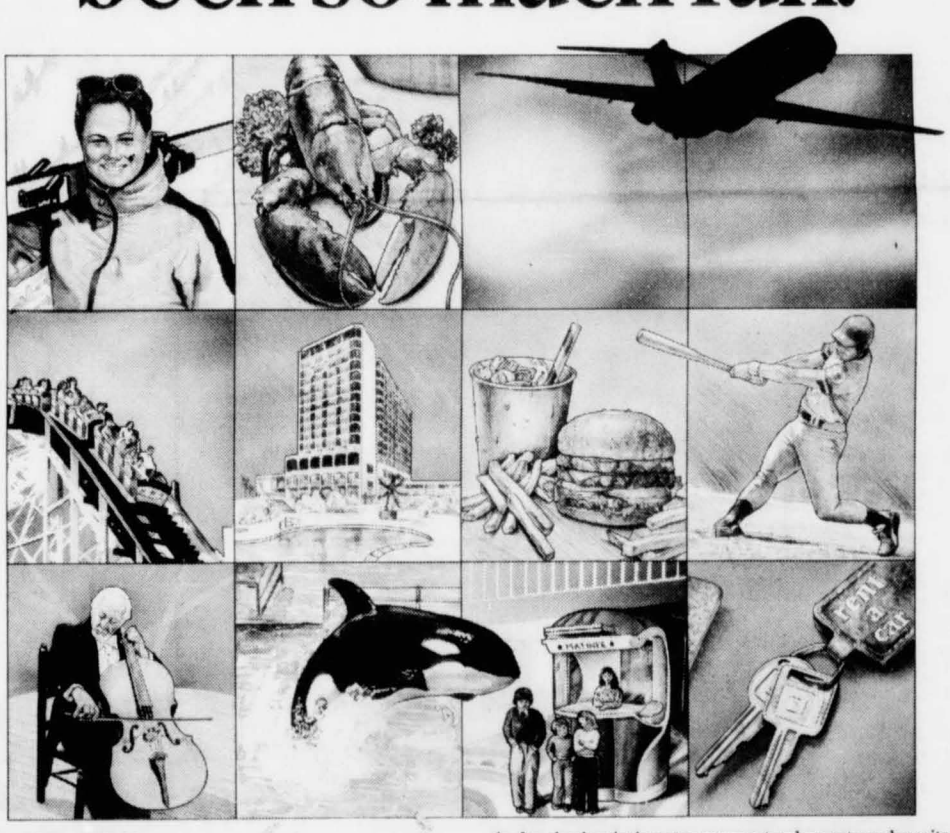

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Drumming things up

Julie A. Bennet — Daily staff photographer

Jeff Burkhead, a junior in biology, drums on a pad between the Music and Art buildings. A member of the Spartan Marching Band, he is practicing "chops" for the first football game Sept. 6.

Open University fights state squeeze

By Paula Ray Christiansen
Daily staff writer

Open University will remain open, despite a $2 million systemwide budget cut to the program that must be recaptured by individual CSU campuses.

Last year when Gov. George Deukmejian planned the 1986-87 budget, proposals to avert a reimbursement from the program to the state were blue-penciled.

Bob Donovan, director of Open University, led the campaign urging the Legislature to reimburse the general fund. He said the proposals did make it through the Legislature, but were vetoed by the governor, who is "very ignorant of the program."

Donovan said the governor is relying on an income base that is several years outdated, but if the base is updated when the budget is reviewed in January, the program will stand a better chance of surviving.

A 25-percent reimbursement from the total Open University (concurrent enrollment), funds of the 19 CSU campuses was assessed, according to Paul Bradley, associate dean of Continuing Education.

It amounts to an estimated $300,000 of the total expected revenue from the SJSU program that must be returned to the chancellor's office.

The Commission for Extended Education, the chancellor's committee that makes recommendations regarding continuing education programs to the state, was told that there was not enough money in state funding system to take up the slack for Open University programs.

Open University provides an opportunity for part-time students to attend classes without being formally admitted to the university. Students pay $67 per unit to attend.

The program is the only way for disqualified students to be readmitted to the university. Students are required to enroll for at least six units of study through Open University if they are denied readmission by the Admissions and Standards Committee. After submitting a petition to the committee, they must complete the courses with a minimum 2.0 GPA and are placed on probation after reinstatement.

Bradley said the governor felt it inappropriate that tax dollars be used to support a program that is designed to be self-supporting from its own tuition. He said the governor speculated that because the state was providing the classrooms for the university, there was state support going to the program. Bradley said this was "faulty reasoning."

"The seats being used are, in effect, unfilled seats," Bradley said.

"The state saves $5,000 per student enrolled in the program," Donovan said. That is the amount that the state provides for each full-time student enrolled in the university.

One of the fears of the reimbursement was that departments would not be willing to take additional students, Bradley said.

"We were afraid that if they were only receiving a drop in the bucket, there would be no incentive to take on more students," Bradley said. The fear has proven itself to be unfounded.

Each department will continue to receive its two-thirds of the program funds for operating and support budgets, but instead of working with the $660,000 available last year, the total will be reduced to an estimated $580,000 this year.

"The faculty recognizes that many of these students have educational needs and few ways to meet those needs," Bradley said.

"Students are the primary concern. When an Open University student presents himself and wants to learn, we are not going to turn him away."

Bradley said he isn't aware of any other CSU campuses dropping their Open University programs.

Donovan said the budget proposals in January for the 1987-88 general fund will better determine the program's life span.

"We are relying on Deukmejian's Department of Finance people," Donovan said, "and their proposal does not stand up to reality."

He said the program will stand the best chance of continuing with proper funding ". . . if we get a new governor."

Project 88 awaits construction bids

By Oscar Guerra
Daily staff writer

The new engineering building is scheduled to be ready for use by fall 1988, SJSU officials said.

The project is the largest currently in the California State University system, with a budget of $30 million, said Barbara Pluta, design and construction manager.

There are a total of four bid packages that will be made for the different stages of construction. The first bid is slated to go out Sept. 9.

The technique being used to speed up the construction and building process, called fast track, is different than the traditional methods of planning and constructing, said Mohammad Qayoumi, associated executive vice president of Facilities Development and Operations.

The traditional method of building is to finish all the plans for all phases of the project first, then begin construction, Qayoumi said.

In the fast-track method, construction can begin before the rest of the project plans are finished, Qayoumi said.

"Because we can save time, we can save money," Pluta said.

The original plan is to complete the new building first on the site of the old 1951 building, which is scheduled to be demolished as soon as the first bid package is awarded, Pluta said.

There is no date on when the second bid package will be awarded, Pluta said.

After the new project is completed, the renovation on the 1963 building will be done, she said.

"We have an agreement with Perini Construction guaranteeing a construction cost ceiling of $30 million," Pluta said. "Anything above that will be their problem."

Perini Construction is handling the overall supervision of the project, and the companies that win the bid packages will do the work, Pluta said.

The four bid packages will entail different stages of the building of the project, Pluta said. The first stage will involve demolition of the '51 building and site utilities hookups such as electrical, steam and gas, she said.

The second package will require building all structural steel.

All concrete floors and foundations will be built in the third bid package.

The last package will complete all finishes, including paint, ceilings, floors, electrical outlets and the finished look of the building.

"This will bring SJSU to state-of-the-art facilities and one of the best in the country," Qayoumi said.

The new engineering building is projected to be ready for use by fall of 1988.

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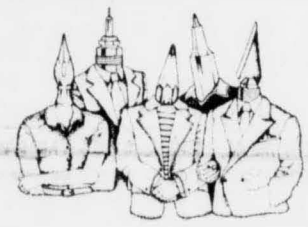

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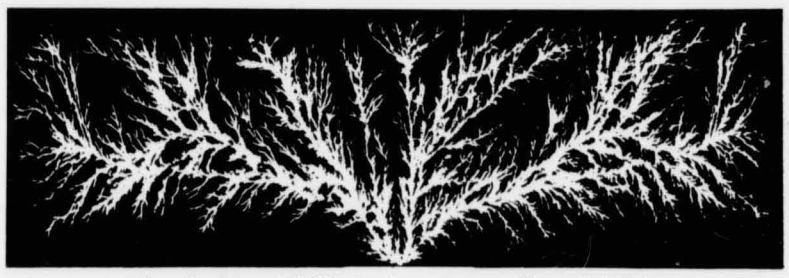

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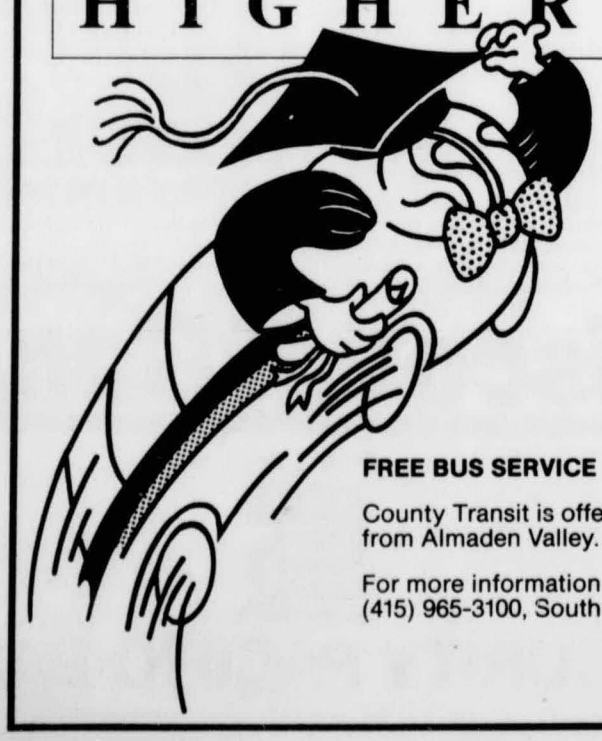

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Competition sparks Siskel and Ebert

LOS ANGELES (AP) —One of the few things Gene Siskel and Roger Ebert agree on is that their rivalry sparks their movie review show.

Siskel and Ebert agree on little else, and that keen sense of competition has helped make stars of the two Chicago film critics who still consider themselves just working newspapermen.

This month they begin their ninth season on the air with a new version of their movie review show, called "Siskel & Ebert & The Movies."

"The success of the show still astonishes us," said Siskel. "None of it was planned. I think it shows that newspaper people who are given a beat and given time to develop expertise can become very effective communicators on television.

"Roger and I are intense competitors. I think it's this rivalry and competition that fuels the show. The key is that we're two newspapermen who sit around and argue about movies."

Chicago has always been a city of intense newspaper rivalry. Siskel was the daily film critic for the Chicago Tribune for 17 years and will continue writing reviews and comentary for the newspaper and its syndicate twice a week. Ebert has been with the Chicago Sun-Times for 19 years and in 1975 became the only film critic to win the Pulitzer Prize for distinguished criticism.

The rivalry is such that they asked to be interviewed separately. Siskel, who is tall, slim and has a receding hairline, was first. Then came Ebert, who is shorter and rounder, has a mop of curly hair and wears hornrim glasses.

"Our professional competition has been a fact of life since 1969. We were not really on speaking terms," Ebert said. "We were film critics for rival morning newspapers. We'd go to the same screenings, but we wouldn't speak."

"People talk about our chemistry, but that had nothing to do with our original selection to do this show."

In 1977, a Chicago public television station asked Siskel and Ebert to participate in a weekly show reviewing the arts. At first the show was distributed free around the country, then it was bought by a majority of the PBS stations. "Sneak Previews" went on to become the highest-rated half-hour weekly show in the history of PBS.

Spartaguide

Psi Chi will be having a bake sale today from 10 a.m. to 2 p.m. outside the Student Union. For more information call Stephanie Hinz 267-8469.

•

The Gay and Lesbian Alliance will have a get aquainted meeting tomorrow at 4:30 p.m. in the Almaden Room of the Student Union. For more information call Steve Stein 293-4630.

•

Robotics and Automated Manufacturing will have its first meeting of the semester today at 12:30 p.m. in engineering Room 337. For more information call Richard Azevedo or Bryan Murahashi 277-2501.

•

MEChA (Movimiento Estudiantil Chicano De Aztlan) will have a meeting today at 6 p.m. in the Pacheco Room of the Student Union. For more information call Carmen or Marta 298-2531.

Yesterdaily

Campus

The Spartan football team needs record-breaking attendance this year to compensate for the deficit created from a poor season last year, loss of television revenues and over-enthusiastic attendance projections.

•

University police arrested two suspected bike thieves after the victim caught and detained one of the suspects himself. Bicycle thefts have been an on-going problem on campus.

•

CSU faculty members have begun another academic year without a contract, their second since they adopted collective bargaining in 1983.

At a meeting last week, an official for the California Faculty Association said the negotiations appeared dim.

Sports

After the football team's final pre-season scrimmage, Head Coach Claude Gilbert said he was pleased with the Spartans' offensive game. But Defensive Coordinator Sam Gruneisen was not impressed with the defense's performance.

•

Doug Allen, last season's starting quarterback, was declared academically ineligible for the year by SJSU Faculty Representative Charles Whitcomb Thursday. Allen is still attending SJSU as a full-time student.

Dry Toast — Peter Stein

"Where's Rover these days? I haven't seen him since we redecorated three weeks ago!"

Bloom County

Berke Breathed

The Real World — Manuel Ruiz

School Daze — Wanda Folk

Isaac Newt — Sheila Neal

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SJSU hosts forum for 'fair pay' plan

GANN, from page 1

there's no motivation," he said. "The salary cap would make recruitment almost impossible."

Departments would have to hire faculty willing to accept sub-standard wages, possibly resulting in higher class sizes or enrollment restrictions in some areas, he said. The initiative could also limit faculty efforts to supplement their salaries with summer classes and consulting work paid from state revenues.

SJSU employees face a higher cost of living, particularly for housing, than in other areas of the state, he said.

Ted Costa, assistant to Paul Gann, said the initiative was necessary because state salaries and pensions were getting "out of hand."

"The people who pay the bills don't realize how much they're paying," he said.

Costa said the salary ceiling proposed in the initiative is not an absolute cap on government employee pay. "If the governor gets a raise, then the salary level goes up."

The initiative also contains a special circumstances clause that allows the legislature to appropriate funds for higher salaries in special areas by a two-thirds roll-call vote of the state Legislature, he said.

Costa said this allows the proposition to be flexible over time while still maintaining the accountability of elected officials.

Representatives from Bay Area environmental and public health agencies, education and high-technology organizations are scheduled to testify at the hearing, 9 a.m. in the engineering building room 219. The meeting is scheduled to conclude at noon.

Dry rush hailed despite claims of houses serving alcohol

RUSH, from page 1

functions are there specifically to rush.

"There's no alcohol, so they're not here to drink the beer," he said. "Dry rush is the most successful thing on any campus you see. The quality of men goes up . . . you're not getting a bunch of drunks."

Statistics published by the National Interfraternity Council in Indiana support the theory that dry rush is effective. According to a June 1985 survey, 75 percent of the schools responding said dry rush had a positive effect and 25 percent said it had no effect. No respondents said it had a negative effect.

"We've gotten out of the tavern business, which a lot of fraternities have gotten into," Jameson said, "and we're going back to more social activities."

Response to the dry functions held by the fraternities has been positive, rush officials said, although there have been those who have termed the functions "boring" and "dead."

Welch admits to having had reservations about how successful the alcohol-free functions would be, but he said they were quickly dispelled following the success of a rush party held at the Sigma Alpha Epsilon house last Thursday.

"It (the party) was supposed to start at nine . . . by the time 9:30 p.m. got here, there were people dribbling in," he said, "but I was unsure of what our total turn-out would be because of dry rush.

"I was convinced at that point that dry rush wasn't the way to go.

"By the time 10 o'clock got here, I had a line going out the driveway."

Welch said the absence of alcohol did not hurt the party.

"(That) night proved to me that a house could have a wonderful time" without the influence of alcohol, he said.

Mike Chow, who is a member of Alpha Tau Omega, said a barbecue his house held at William Street Park succeeded despite the absence of alcohol.

"We had a great turnout . . . a lot of the sororities came out and we had the regular fun playing volleyball and horseshoes," he said.

The rush chairmen said they agreed dry rush is something that should be continued at SJSU. However, most don't feel that their fraternities should go dry outside of rush period.

Delta Upsilon has been dry since Aug. 22 when a resolution by their international governing body was instituted that prohibits them from holding open parties where alcohol is dispensed, Jameson said. Only fraternity members over 21 years old will be allowed to drink at the house, he said.

He also said he feels that more responsible actions by the fraternities are needed and that dry rush is a step toward giving fraternities a positive image on campus.

Art classes stage protest

TREES, from page 1

Their message to passers-by was "don't leave our street bear", spelled out in string of cardboard letters laced around the trunk of the tree.

A young evergreen sapling was the project of Mark Castle, a junior studying photography.

"The trees fufill a purpose that the buildings don't" he said while erecting a wooden frame around his tiny tree. "It's nice to get a little bit of nature around all the concrete."

Last week Assistant Biology Prof. Steven White brought a group of people to a public hearing to protest removal of the trees. However, the decsion to remove the trees had already been made, White said.

As it turned out, the hearing, which was required by city ordinance, concerned only six trees that line First Street, while the remaining 114 trees come under a different jurisdiction.

"They sprung that on us when we got there," White said.

The six trees are on the right of way of the transit mall being constructed on First Street, said Bill Versaci, director of the Downtown Redevelopment Agency. He said a city ordinance requires a public hearing in cases involving removal of trees on city-owned property.

Versaci said the remaining trees on Paseo de San Antonio are in the jurisdiction of the redevelopment agency.

"There is no requirement for a public hearing," he said.

The plan is to construct buildings on sites that the trees occupy now, and the those remaining will be removed to fit in with the design of the mall, Versaci said. "They are not consistent with the construction planned."

Versaci said a small number of palm and willow trees will be planted to complement the new construction.

"The maintenance on palm trees is terrible," said student protestor Eric Nelson, a senior studying cermaics. Nelson, who maintained palm trees when he owned a landscaping business in San Jose, said that palm trees collect dust and require alot of maintenance to keep them aesthetically pleasing.

The absence of fall colors was the theme of protester Tiffany Cooper's tree project.

Cooper, a sophmore majoring in Industrial Design, embellished her tree with ornaments of orange and gold — the traditional colors of autumn. "I think fall is the most beautiful time of the year," she said."I want to remind people what they will be missing."

Professor May said although two city officials questioned some of his students about cleanup of the protest art, no resistance to the protest has been encountered. The students have promised to remove their art from the trees on Thursday.

"It should be treated as a fairly gentle activity in the park," May said.

Program board eyes gym as means to bigger bucks

CONCERTS, from page 1

Goeltz said the A.S. Program Board would take full responsibility for use of the men's gymnasium.

Goeltz said using the gymnasium "could save the students money that could go toward more student entertainment." He said any new profits will be used for more free lunch time concerts later in the year.

On Friday Goeltz said that if a decision were not made soon, the program board would not be able to make profits or attract large concert bands to the campus, since the civic auditorium is booked up for most of the year.

"The program board needs to have a large hall if they are going to book large concerts for this year," Goeltz said.

A planned R.E.M. concert for this year was not booked because the program board could not find a hall large enough to house the show.

"There is a procedure they have to follow and if they follow these procedures they will be free to use it," Bryant said."Frankly if this privilege is abused, we will have to reconsider this decision."

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Wilson students get rounded lessons

SWANNANOA, N.C. (AP) — Students at Warren Wilson College can do more than analyze a Shakespearean sonnet or ace the law boards — they also can breed pigs, install a sink or replace a truck valve.

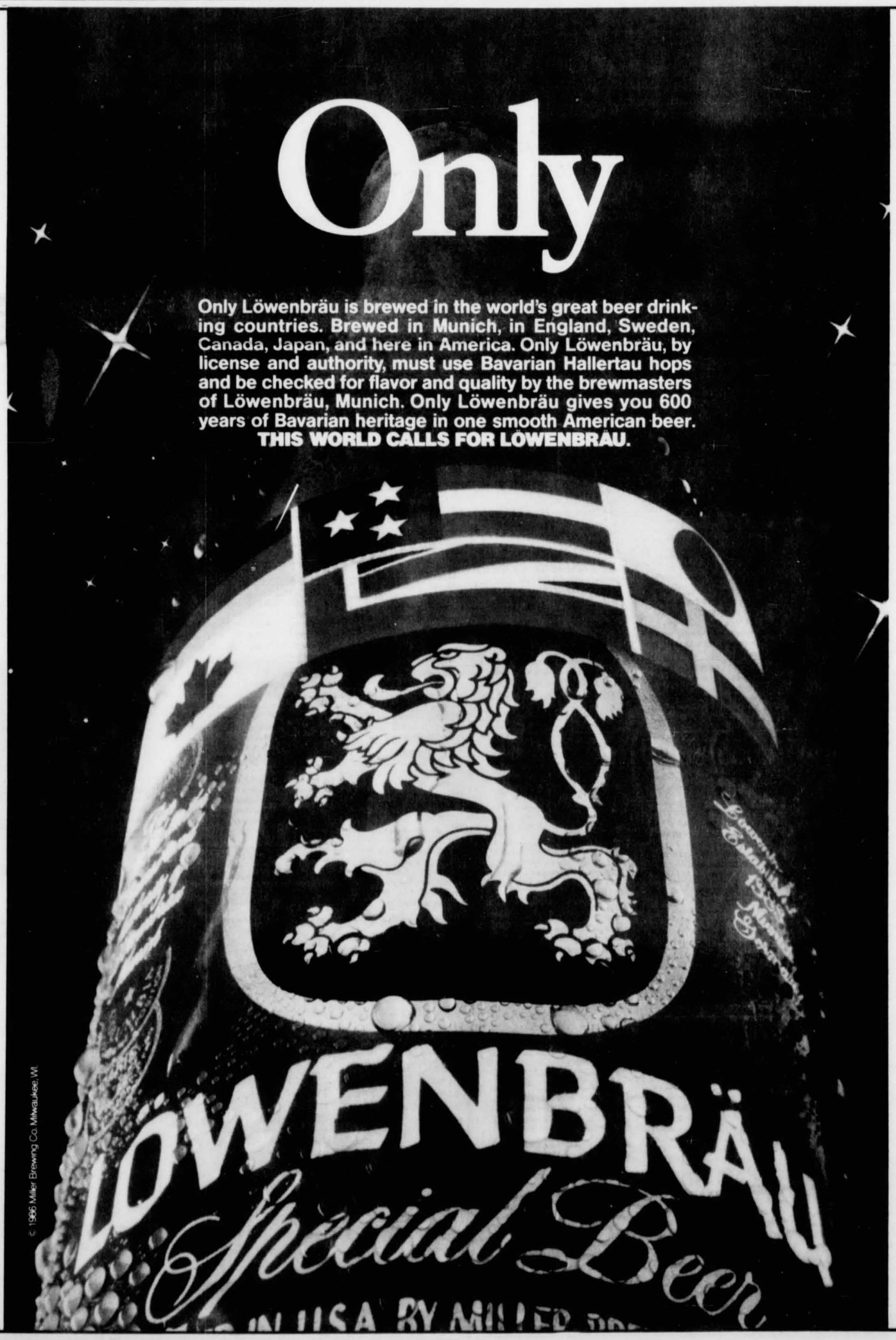
"Everyone has to work," said Dr. Reuben Holden, retiring president of the small Presbyterian-related liberal arts college near Asheville. "It has a very leveling effect on the whole campus.

"The effect is that the students go out into the world with a good solid educational background in liberal arts, plus the best of two worlds . . . they can do things with their hands."

The college's 470 students work 15 hours per week in exchange for room and board. The 67 campus work crews include auto mechanics, foresters, computer programmers, plumbers, photographers and admissions recruiters. The farm crews provide fruits, vegetables and 70 percent of the beef for the campus dining hall.

In addition, each student must complete a 60-hour non-credit service project. Many complete their service in Third World villages in what Holden calls a "mini-Peace Corps." Others go back to their hometowns and, for example, help build a new church.

Holden said the students' education was further broadened by the makeup of the student body. About 12 percent come from 22 foreign countries; and while the college was founded in 1894 by the Presbyterian Church, it has students from 21 different denominations, including Hindu and Buddhist.

"We don't require chapel anymore, but we still feel strongly the need for a basis of values in any education," Holden said.

Some of the graduates go into social work, but many also go into business, law and medicine.